

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA, )  
11 Plaintiff, ) 2:20-CR-0079-RMP-1  
12 )  
13 v. ) SENTENCING MEMORANDUM  
14 CLINTON PAUL PATTERSON, )  
15 Defendant. )

17 Plaintiff, United States of America, by and through, Vanessa R. Waldref,  
18 United States Attorney for the Eastern District of Washington, and Caitlin Baunsgard,  
19 Assistant United States Attorney for the Eastern District of Washington, submits the  
20 following Sentencing Memorandum.  
21

## A. PRE-SENTENCE INVESTIGATION REPORT:

23 The United States has reviewed the PSIR. The United States submits it is a  
24  
25 factually accurate summary of the facts in this case. The United States recommends  
26 the Court adopt the PSIR without change.

1           **B. REMOVAL OF FED. R. CRIM. P. 11(C)(1)(C) NATURE OF PLEA**  
2           **AGREEMENT.**

3           At the time of the Defendant's sentencing, it is anticipated he will qualify for  
4           “safety valve” under the current criterial for such relief as articulated in the recent 9<sup>th</sup>  
5           Circuit case (*United States v. Lopez*). The parties have the interview scheduled for  
6           Monday, February 28, 2022.

7           Given this important change in circumstance, the United States and Defendant  
8           have agreed that the Court should sentence the Defendant without regard to the Fed.  
9           R. Crim. P. 11(c)(1)(C) nature of the plea agreement. With the anticipated application  
10          of the statutory “safety valve” pursuant to 18 U.S.C. § 3553(f), the United States and  
11          the Defendant recommend a 2-level decrease of his Base Offense Level pursuant to  
12          USSG §2D1.1(b)(18).

13           **C. SENTENCING RECOMMENDATION:**

14           Based on the totality of the circumstances, and under the terms of the Plea  
15          Agreement, the United States is recommending the Court impose a term of  
16          incarceration of 48 months. The United States respectfully submits such a sentence  
17          would be sufficient but not greater than necessary to accomplish the goals of  
18          sentencing and achieve an appropriate balance of the 18 U.S.C. § 3553(a) factors.

19           The Defendant has unquestionably been convicted of a very serious crime. The  
20          Defendant was engaged in very significant drug trafficking – to include fentanyl-laced  
21          pills, which is one of the biggest public safety issues to face the community. The

1 effects of drug trafficking are massive, and in some respects, incalculable, especially  
2 when all the collateral consequences are considered.

3 The damage the drugs this Defendant were peddling cause irreparable harm to  
4 the community in general as well as to families whose loved ones are addicted to  
5 controlled substances. Importantly, the damage is not limited to families who have  
6 suffered a death. As aptly recorded by Sam Quinones in the book “Dreamland” about  
7 the families of living drug addicts:

8 I met with other parents whose children were still alive, but  
9 who had shape-shifted into lying, thieving slaves to an unseen  
10 molecule. These parents feared each night the call that their  
11 child was dead in a McDonald’s bathroom. They went broke  
12 paying for rehab, and collect calls from jail. They moved to  
13 where no one knew their shame. They prayed that the child  
14 they’d known would reemerge.

15 Sam Quinones, *Dreamland*, 9 (Bloomsbury Press 2015).

16 The Defendant’s conduct harmed families and the community. As the Fifth  
17 Circuit noted, “[t]he drug seller, at every level of distribution, is at the root of the  
18 pervasive cycle of drug abuse. Measured thus by the harm it inflicts upon the addict,  
19 and through him, upon society as a whole, drug dealing in its present epidemic  
20 proportions is a grave offense of high rank.” *Terrebonne v. Butler*, 820 F.2d 156, 157  
21 (5th Cir. 1987), *cert. denied*, 484 U.S. 1020 (1989). While this opinion was authored  
22 over 30 years ago, it continues to ring true today. Individuals who occupy every role  
23 in an organization play an important role in the success of the endeavor. The  
24 Defendant kept addicts in this community steadily supplied with these poisons.

The Defendant chose to engage in this conduct just after he was released from prison for a very serious offense. In other words, the Defendant chose to immediately step right back into his criminal conduct – his criminal lifestyle that landed him in prison for decades. The United States respectfully submits, based on the Defendant's choice to continue with his criminal endeavors, the Court should choose to protect society from this Defendant and sentence this Defendant accordingly.

DATED this 25th day of February, 2022.

Vanessa R. Waldref  
United States Attorney

s/ **Caitlin Baunsgard**  
Caitlin Baunsgard  
Assistant United States Attorney

## **CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Andrea George

*s/ Caitlin Baunsgard*  
Caitlin Baunsgard  
Assistant United States Attorney